

**Regular Meeting
Jasper Plan Commission
November 2, 2005**

President Tom Kiefer called the Regular Meeting of the Jasper Plan Commission to order at 8:00 p.m. Secretary Butch Schitter took roll call as follows:

Tom Kiefer, Pres.	-Present	Bernita Berger	-Present
Rick Gunselman, V.P.	-Present	Norb Kreilein	-Present
Butch Schitter, Sec.	-Present	Randy Mehringer	-Present
Jim Schroeder	-Present	Patrick Lottes	-Present
Lloyd Martin	-Present	Chad Hurm, Eng.	-Present
Bob Wright	-Present	Dave Seger, Bld. Comm.	-Present
		Sandy Hemmerlein, Atty.	-Present

PLEDGE OF ALLEGIANCE

President Kiefer led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the October 5, 2005, Regular Meeting were reviewed. There were three corrections. Under OLD BUSINESS, Application of Kevin Jacob..., the last paragraph should read, "Lloyd Martin seconded it." Under PUBLIC BUSINESS, Mill Creek III – Extension on Bond, the last sentence in the third paragraph should read, "Manor Drive is also being used for the heavy trucks to turn around." Also, in the last paragraph, the motion should read, "2) a letter to Kerstiens Corporation shall be drafted by City Attorney Sandy Hemmerlein and signed by President Kiefer and Secretary Schitter, stating the requirement."

Secretary Schitter made a motion to approve the minutes as corrected. Bob Wright seconded it. Motion carried 11-0.

STATEMENT

President Kiefer read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

OLD PUBLIC BUSINESS

Mill Creek III – Extension on Bond

Attorney Hemmerlein requested to revisit the issue regarding Pinehurst Drive. Ms. Hemmerlein said a letter was sent to Teri Dick and the Board members explaining that some new information was learned after last month's meeting, which the members were entitled to hear.

It was unclear at the October meeting what was agreed upon between the City and Kerstiens Corporation regarding top coating Pinehurst Drive.

Street Commissioner Raymie Eckerle appeared before the Board to clarify some issues. Commissioner Eckerle explained that although it was implied Kerstiens Corporation was not "holding up their end of the deal," that was not the case. It was agreed by both parties (the City and Kerstiens) to hold off paving Pinehurst Drive until Mill Creek IV is completed.

Commissioner Eckerle expressed the reason for the delay in top coating Pinehurst Drive was that, although Mill Creek III is near completion, Mill Creek IV is not. Since Mill Creek IV lies parallel with Mill Creek III, both subdivisions share three common streets. (Manor Drive, Pinehurst Drive and 41st Street)

Teri Dick, of 3987 Pinehurst Drive, appeared before the Board to voice her concern regarding Pinehurst Drive. In her opinion, Ms. Dick said Pinehurst Drive has become a drainage issue. The topcoat of the road stops in front of her home, which is located in Mill Creek Park II and borders Mill Creek Park III.

Ms. Dick said the two cul-de-sacs, Timberlake Court and Lee Drive have already been paved and questioned why her street was not. Vice President Gunselman informed Ms. Dick that Pinehurst Drive is a through street, not a cul-de-sac.

After much discussion, Vice President Gunselman made a motion, based on having complete information on what was discussed and agreed upon by the Board of Public Works, to rescind the request and include Pinehurst Drive in the bond extension for one year. Bob Wright seconded it. Motion carried 11-0.

NEW BUSINESS

Application of Jerome Kerstiens for approval of a proposed plat of Windsong Estates, a subdivision in Boone Township, Dubois County, Indiana, and all proposed necessary street and sewer profiles thereof.

Al Mehringer, representing Kerstiens Corporation, was present to request primary approval of a 58-lot subdivision, Windsong Estates I. The proposed property is located north of County Road 400 N and east and west of Portersville Road.

Mr. Mehringer displayed an aerial photo of the area, explaining the layout of Phase I. There would be 22 R-1 (Residential) lots, 26 R-2 lots, eight R-3 lots and two lots set aside for water retention.

Surveyor Ken Brosmer, presented a copy of the plat for Phase I and explained the proposed drainage plan. There is currently an 8-inch water line on 47th Street. Plans are to install a 12-inch water line to the east, a 10-inch water line along Portersville Road and also through the subdivision.

There was some discussion following Mr. Brosmer's explanation of the drainage plan. City Engineer Chad Hurm concluded the discussion with the comment that that he and Building Commissioner Dave Seger did view the plan thoroughly and gave their stamp of approval to Kerstiens.

Attorney Hemmerlein read a letter addressed to Building Commissioner Seger from Thomas Eversman, of 408 W. 15th Street. Mr. Eversman stated that he owns 78 acres of land located within 200 feet of the proposed development. The letter stated a request that the lots in the northwest quarter of the subject plat be increased to a minimum size of 23,000 square feet in order to allow a more orderly transition from the new zoning to rural residential.

Kurt Bies, of 4409 N. Portersville Road, Andrew Vogler, of 1345 W. 47th Street, and Don Katter, of 3945 N. Portersville Road, were present to remonstrate against the proposed subdivision. Each of the remonstrators expressed concern about increased traffic, the appearance of the retention ponds and a decrease in property values.

After some discussion regarding the neighbors' concerns, Secretary Schitter made a motion to grant primary approval of a proposed plat of Windsong Estates I, with the following changes: 1) all property owners along 47th Street and Portersville Road must provide a driveway

turn-around, 2) add an inlet to runoff on the other properties and 3) increase the radius on the north side of 47th Street at the intersection with Portersville Road. Vice President Gunselman seconded it. Motion carried 11-0.

Application of Mark Brescher, as owner, and Robert Durcholz, as developer, for approval to rezone the following described tract of land (proposed Brookstone Estates III) from A-1 (Agricultural) to R-R (Rural Residential).

Surveyor Ken Brosmer was present on behalf of Todd Kerstiens to rezone an area of land (proposed Brookstone III Estates) from A-1 (Agricultural) to R-R (Rural Residential). The proposed property is located south of Diamond Ridge Estates and south and east of Brookstone Estates.

Mr. Brosmer presented an aerial map of the proposed area, showing the surrounding property as R-R (Rural Residential). The property yet to be rezoned to R-R consists of 21.4 acres.

Brad Norris, a future homeowner in Brookstone Estates, appeared before the Board to request that the size of lots in the proposed Brookstone Estates III measure the same square footage as those in Brookstone Estates. Mr. Brosmer confirmed his request.

Secretary Schitter made a motion to close the public hearing. Lloyd Martin seconded it. Motion carried 11-0.

Vice President Gunselman made a motion recommending that the Common Council rezone Brookstone III from A-1 (Agricultural) to R-R (Rural Residential). Jim Schroeder seconded it. Motion carried 11-0.

The Common Council will hold a public hearing on November 23, 2005, at 6:40 p.m. for final approval of the rezoning.

Application of Todd Kerstiens, for approval of a proposed plat of Brookstone II, a subdivision in Madison County, Indiana, and all proposed necessary street and sewer profiles thereof.
A/so, Application of Mark Brescher, as owner, and Robert Durcholz, as developer, for approval of a proposed plat of Brookstone III, a subdivision in Jasper, Indiana, and all necessary street and sewer profiles thereof.

Surveyor Ken Brosmer was present on behalf of Todd Kerstiens and Robert Durcholz to request primary approval of two proposed subdivisions, Brookstone Estates II and Brookstone Estates III. The property is located south of Brookstone Estates.

Mr. Brosmer displayed an aerial map of the property owned by the developers. Brookstone Estates, consisting of 38 acres, was developed in 2004. Plans are to develop 24-25 lots in Brookstone Estates II and 24 lots in Brookstone Estates III. Access to these subdivisions would be from Savannah or Pebble Drive.

There was discussion regarding the flood way area along Crooked Creek. Mr. Brosmer said after the work is completed and approved by Division of Natural Resources (DNR). Mr. Kerstiens will revisit the Board for secondary approval.

Building Commissioner Seger said he advised Mr. Brosmer to put the lowest floor elevation on the plat, according to what is approved by DNR, so the landowners will know what the lowest floor elevation is they have to build on. Also a line should be marked on the plat to caution the builders of the flood plain area.

City Engineer Hurm shared with the Board a concern regarding the basin for erosion control being positioned between the two subdivisions. He suggested that in the event one of

the subdivisions might not be developed, an agreement should be met between the two developers in order to keep the basin whole.

With no more discussion, Vice President Gunselman made a motion to grant primary approval of Brookstone II, consisting of 24 acres, more or less, with the condition that, 1) there be a satisfactory resolution between the two developers regarding the erosion control basin and 2) that the lowest floor elevation be put on the plat with a line added to caution builders of the flood plain area. Secretary Schitter seconded it. Motion carried 11-0.

Vice President Gunselman made a motion to grant primary approval of Brookstone III, contingent upon 1) the Common Council's final approval of rezoning the property and 2) that the lowest floor elevation be put on the plat with a line added to caution builders of the flood plain area. Secretary Schitter seconded it. Motion carried 11-0.

Application of City of Jasper concerning an amendment to the zoning ordinance that references signs.

Attorney Sandy Hemmerlein appeared before the Board with a revision of the section of the zoning ordinance concerning signs.

At last month's meeting, there was a discussion on changes to the sign ordinance, in particular, election and political signs. Due to a miscommunication, some sections of the sign ordinance have been revised.

The changes are as follows:

In Section 1 (1c), the sentence that reads, "An administrative permit for this sign shall be obtained from the City Zoning Administrator before the sign can be erected," has been deleted.

Also, in Section 1 (b), the height for information signs was changed from 30 to 60 inches.

In new Section 4, the word "schools" was added to the sentence referring to the 24 square-foot-in-area signs.

In Section 5 (3a), it was added that a temporary sign permit is also required for any advertising of architects, builders or contractors of a newly remodeled building.

With no remonstrators present, Vice President Gunselman made a motion recommending that the Common Council approve the proposed modification of the sign ordinance. Lloyd Martin seconded it. Motion carried 11-0.

With no other business at hand, Bob Wright made a motion to adjourn the meeting, seconded by Norb Kreilein. Motion carried 11-0, and the meeting was adjourned at 11:44 p.m.

Tom Kiefer, President

A. "Butch" Schitter, Secretary

Kathy M. Pfister, Recording Secretary